

MINUTES
COMMITTEE ON LAW & LICENSING

May 28, 2013 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Scott Lewandoske
Excused: Ald. Susan Lessard, Ald. Bill Thiel
Others in Attendance: Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Ald. Joe Heidemann, Ammee Lee, Wa Lee, Alexandria R. Cullen, Keith Fischer, Kristen M. Fischer, Cynthia Lopez, Tammy L. Ringel, Joseph E. Jantz

Chairperson VanderWeele called the meeting to order at 2:00 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meeting held May 14, 2013 was made by Ald. Matichek and seconded by Ald. Lewandoske. **All ayes; motion approved.**

Possible action regarding Alc. Bev. Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent)

Joseph E. Jantz appeared before the committee to discuss an April 18, 2013 incident of serving alcohol to an underage person. Mr. Jantz confirmed that the clerk, Stacey Stolzman, has been taken off the register permanently. He will consider adding the date of birth feature to the cash register. Mr. Jantz also explained the April 29th incident involving the husband of an employee to the committee. Ald. Matichek moved to request a 20 day voluntary surrender of the alcohol beverage license. **Motion died for lack of a second.** Ald. Lewandoske moved, seconded by Ald. Matichek, to request that Tidy Car of Sheboygan voluntarily surrender the alcohol beverage license and cigarette/tobacco license for a period of 5 consecutive days within 14 days. **Two ayes and one nay (Ald. VanderWeele); motion approved.**

Presentations by potential applicants for available "Class B" alcohol beverage licenses

There is presently one "Class B" alcohol beverage license available. Ammee Lee spoke on behalf of the Thai Lotus Restaurant located at 13th Street and Georgia Avenue and addressed the security concerns the committee brought up at the last meeting. She indicated that they have now contracted with Special Operations Detective Agency to provide two security guards on Saturdays from 10:00 p.m. to 2:00 a.m. In addition, they are in the process of adding some outdoor lighting and doing some soundproofing at the building.

Discussion and action regarding granting opportunity to apply for available “Class B” alcohol beverage licenses

A motion was made by Ald. Matichek, seconded by Ald. Lewandoske, to invite Thai Lotus Restaurant to apply for the available “Class B” alcohol beverage license. **All ayes; motion approved.**

Presentations by potential applicants for available “Class A” alcohol beverage licenses

There is presently one “Class A” alcohol beverage license available. Wa Lee spoke regarding the liquor store he and his wife want to open. The liquor store will occupy space in the TCL Foto building on North 13th Street. This is Mr. Lee’s first business venture. He has not yet spoken to the Planning office regarding this project. He understands that the building inspection department will need to inspect the property.

Discussion and action regarding granting opportunity to apply for available “Class A” alcohol beverage licenses

A motion was made by Ald. Matichek, seconded by Ald. Lewandoske, to hold the Wa Lee matter until the June 11th meeting and request that Mr. Lee speak with the Planning office prior to that meeting. **All ayes; motion approved.**

R.O. No. 336-12-13 (4-15-13) – Various License Applications: Bev. Op. Lic. App. No. 9929 (Alexandria R. Cullen)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Alexandria R. Cullen appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Matichek moved, seconded by Ald. Lewandoske, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

R.O. No. 10-13-14 (5-6-13) – Various License Applications: “Class A” Liquor Lic. App. No. 2532-Fischer’s Food & Liquor (Keith Fischer, Agent); “Class B” Liquor Lic. App. No. 2193-The Kaddyshack LLC (Kristen M. Fischer, Agent)

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Keith Fischer appeared before the committee to discuss the “Class A” liquor license application of Fischer’s Food & Liquor. Mr. Fischer indicated that items were left off of the application due to a clerical error. Ald. Matichek moved, seconded by Ald. Lewandoske, to grant the license contingent upon the application being corrected, also including the open after hours conviction of the corporate vice president. **All ayes; motion approved.**

Kristin M. Fischer appeared before the committee to discuss the “Class B” liquor license application of The Kaddyshack LLC. Ms. Fischer indicated that items were left off of the application due to a clerical error. The March 19th open after hours incident at Kaddyshack was also discussed. Ald.

Matichek moved, seconded by Ald. Lewandoske, to grant the license contingent upon the application being corrected, and to issue a warning to The Kaddyshack LLC regarding the open after hours incident at Kaddyshack on March 19, 2013. **All ayes; motion approved.**

R.O. No. 11-13-14 (5-6-13) – Various License Applications: Bev. Op. Lic. App. No. 9940 (Cynthia Lopez); Taxicab Op. Lic. App. Nos. 9946 (Brian Cha), 9044 (Tammy L. Ringel)

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Cynthia Lopez appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Matichek moved, seconded by Ald. Lewandoske, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Brian Cha did not appear, but had contacted the City Attorney's Office to indicate that he was unable to appear. Mr. Cha was instructed to appear at the June 11th meeting. Ald. Matichek moved, seconded by Ald. Lewandoske, to hold the application until the June 11th meeting and to call in Mr. Cha by regular mail. **All ayes; motion approved.**

Tammy L. Ringel appeared before the committee to discuss her application. Ms. Ringel indicated that she has a court trial in municipal court on June 5th regarding the pending charge. After discussion of her record and her failure to include a violation on her application, Ald. Matichek moved, seconded by Ald. Lewandoske, to hold the application until the June 11th meeting. **All ayes; motion approved.**

Update regarding voluntary surrender of Taxicab Op. Lic. No. 6913 (Ricardo Rios)

ACA Adams informed the committee that Ricardo Rios had voluntarily surrendered his license, as requested by the committee, for a period of 14 days, beginning on May 28th, but also pointed out that the deadline to turn the license in was actually May 24th.

Update regarding voluntary surrender of Alc. Bev. Lic. No. 1267-Poor Richards (Richard C. Lambrecht, Agent)

ACA Adams informed the committee that Richard Lambrecht had voluntarily surrendered the license, as requested by the committee, for a period of five days, beginning on May 23rd.

Update regarding voluntary surrender of Bev. Op. Lic. No. 4518 (Stacey A. Stoltzman)

ACA Adams informed the committee that Stacey A. Stoltzman had voluntarily surrendered her license, as requested by the committee, for a period of 14 days, beginning on May 20th.

Possible action regarding Bev. Op. Lic. No. 9694 (John D. Schneider)

John D. Schneider failed to appear before the committee. Prior to scheduling this matter for a quasi-judicial hearing, Lt. Teunissen will attempt to make contact with Mr. Schneider. His application indicates that he is employed as a Navy recruiter. Ald. Matichek moved, seconded by Ald.

Lewandoske, to hold this matter until the June 11th meeting and request that the Sheboygan Police Department contact Mr. Schneider. **All ayes; motion approved.**

R.O. No. 27-13-14 (5-20-13) – Various License Applications [individuals]

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Ald. Matichek moved, seconded by Ald. Lewandoske to call in Bev. Op. Lic. App. No. 9957 (Michael G. Kunschke) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9967 (Elizabeth A. Meyer). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske to call in Bev. Op. Lic. App. No. 9959 (Kaylin L. Negron) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 1186 (Linda S. Boyle). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to Bev. Op. Lic. App. No. 6011 (David M. Nennig) with instructions to correct the application. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. App. No. 9217 (Frederick E. Bence) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. App. No. 9956 (Elvira C. Clayborn). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. App. No. 9953 (Robert M. Nielson) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. App. No. 9313 (Robert J. Demeuse). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. VanderWeele, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. App. No. 6913 (Ricardo Rios). **Two ayes and one nay (Ald. Lewandoske); motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. App. No. 9351 (Javier F. Yera). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant the remainder of the license applications for individuals listed on the above-referenced R.O. **All ayes; motion approved.**

R.O. No. 28-13-14 (5-20-13) – Various License Applications [businesses]

Submitting various license applications for the period ending June 30, 2014 and June 30, 2015.

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to “Class A” Fermented Malt Bev. Lic. App. No. 2984 (Everest Enterprises)[South Side Clark]. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to “Class B” Liquor Lic. App. No. 2985 (Filibusters Pub). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to “Class B” Liquor Lic. App. No. 2977 (Geno Nottolini’s Pizza). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to “Class B” Liquor Lic. App. No. 2849 (Hops Haven) with instructions to correct the application. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to “Class B” Liquor Lic. App. No. 1810 (Jakum’s). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to “Class B” Liquor Lic. App. No. 1233 (Mucky Duck Shanty). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to “Class B” Liquor Lic. App. No. 2914 (T & L’s Northstar LLC). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license to Class “B” Fermented Malt Bev. Lic. App. No. 1371 (Sheboygan Softball Assoc.). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant the remainder of the license applications for entities listed on the above-referenced R.O. **All ayes; motion approved.**

Discussion and possible action regarding law violations that may require future action by the Committee

After hearing a brief report from Lt. Teunissen regarding an incident on May 12, 2013 involving David J. McKenzie who was cited for operating left of center, Ald. Matichek made a motion, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. No. 8177 (David J. McKenzie). **All ayes; motion approved.**

After hearing a brief report from Lt. Teunissen regarding an incident on May 24, 2013 involving Mariano Olaiz who was cited for operating an All Star taxi when All Star no longer had a business license, Ald. Matichek made a motion, seconded by Ald. Lewandoske, to call in Taxicab Op. Lic. No. 8673 (Mariano Olaiz). **All ayes; motion approved.**

Ald. Matichek made a motion to adjourn. Ald. Lewandoske seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 3:40 p.m.

The next committee meeting is scheduled to be held on June 11, 2013 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.